

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	
)	
Byron Major Woolridge)	
)	Case No. 14-30395-KRH
)	
Debtor)	Chapter 13
)	
Address)	
9653 Kingscroft Drive)	
Glen Allen, VA 23060)	
)	
Last four digits of Social Security or Individual)	
Tax-payer Identification (ITIN) No(s).: 6471)	

NOTICE OF MOTION

Credit Acceptance Corp. has filed papers with the court to move the court for relief from the automatic stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before fourteen (14) days from the date of service of this motion, you or your attorney must:

- ☐ File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

Sara A. John, VSB #48425
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, Virginia 23452
757-498-9600
sara_john@eppspc.com
Counsel for Plaintiff

You must also mail a copy to:

Sara A. John
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452.

- ☐ Attend the hearing on the motion scheduled to be held on August 27, 2014 at 9:30 AM at United States Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, Virginia.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: July 18, 2014

Signature, name, address and telephone number
of person giving notice:

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452
757-498-9600
Virginia State Bar No. 48425
Counsel for Credit Acceptance Corp.

Certificate of Service

I hereby certify that on July 18, 2014 I mailed or electronically served a true copy of the foregoing Notice of Motion to: Byron Major Woolridge, 9653 Kingscroft Drive, Glen Allen, VA 23060; Linda Kirk Woolridge, 9653 Kingscroft Drive, Glen Allen, VA 23060; Justin A. Reynolds, 4204 Balmoro Avenue #4731, Henrico, VA 23228; Carl M. Bates, Trustee, P.O. Box 1819, Richmond, VA 23218; and Robert B. Duke, Jr., Counsel to Debtors, 207 A South Main Street, Blackstone, VA 23824.

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	
)	
Linda Kirk Woolridge)	
)	Case No. 14-30395-KRH
)	
Debtor)	Chapter 13
)	
Address)	
9653 Kingscroft Drive)	
Glen Allen, VA 23060)	
)	
Last four digits of Social Security or Individual)	
Tax-payer Identification (ITIN) No(s): 8593)	

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Counsel for Plaintiff

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/s/ Sara A. John
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M. Richard Epps, P.C.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	
)	
Byron Major Woolridge)	
Linda Kirk Woolridge)	
)	Case No. 14-30395-KRH
)	
Debtors)	Chapter 13
)	
TO: Justin A. Reynolds, Co-Debtor)	
)	
Address 4204 Balmoro Avenue #4731)	
Henrico, VA 23228)	

NOTICE OF MOTION

Credit Acceptance Corp. has filed papers with the court to move the court for relief as to Co-Debtor.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before twenty-one (21) days from the date of service of this motion, you or your attorney must:

- ☐ File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

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United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

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Counsel for Plaintiff

You must also mail a copy to:

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If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: July 18, 2014

Signature, name, address and telephone number
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/s/ Sara A. John
Sara A. John
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Virginia State Bar No. 48425
Counsel for Credit Acceptance Corp.

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/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

Byron Major Woolridge
Linda Kirk Woolridge

Case No. 14-30395-KRH

Debtors.

Chapter 13

Credit Acceptance Corp.,

Plaintiff,

v.

Byron Major Woolridge, Debtor,
Linda Kirk Woolridge, Debtor,
Justin A. Reynolds, Co-Debtor,
and
Carl M. Bates, Trustee,

Defendants.

**MOTION FOR RELIEF FROM STAY
AND FOR RELIEF AS TO CO-DEBTOR PURSUANT TO 11 U.S.C § 1301 (c)(3)**

NOW COMES Credit Acceptance Corp., by counsel, and states as follows as its Motion for Relief from Stay against Debtors:

1. This Court has jurisdiction over the matters herein alleged pursuant to 28 U.S.C. § 1334.

This matter constitutes a core proceeding within the meaning of 28 U.S.C. § 157 and is a contested matter under Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure.

2. The Debtor herein owns an interest in the following motor vehicle, to-wit: 2004 Ford

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757-498-9600
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Counsel for Plaintiff

Escape, VIN 1FMYU93184KB88854.

3. Plaintiff, Credit Acceptance Corp., is a secured creditor of the Debtor, being secured by a security agreement on the above-described vehicle duly recorded on the certificate of title.

4. On or about January 29, 2014, the Debtors filed a petition for relief under 11 U.S.C. Chapter 13. The Debtors have filed a Chapter 13 plan.

5. Under the terms of the plan, the Debtors proposed to pay Plaintiff post petition payments outside of the plan.

6. Debtors are in default in the making of the post petition payments and are presently due for the January 17, 2014 through July 17, 2014 payments for post petition arrearages totaling \$1,862.05 with a payoff of approximately \$8686.36 on said security agreement. Plaintiff has incurred attorney's fees and costs for filing this Motion.

7. Justin A. Reynolds is a Co-Debtor of Debtor and is jointly liable on the obligation to Plaintiff. Co-Debtor is also a co-owner of the above-described vehicle.

8. Under the provisions of 11 U.S.C. § 1301, Plaintiff herein has been precluded from seeking recovery of its claim from the Co-Debtor. Pursuant to 11 U.S.C. § 1301 (c)(3), Plaintiff is entitled to relief from the stay as to the Co-Debtor.

9. That Plaintiff lacks adequate protection.

10. For the above and foregoing reasons, Plaintiff asserts that cause exists sufficient to waive the requirement of Bankruptcy Rule 4001 (a)(3), therefore allowing the Order granting the relief sought to be effective upon its entry.

WHEREFORE, Plaintiff moves the Court for relief from the automatic stay pursuant to 11 U.S.C. § 362 and for relief as to the Co-Debtor pursuant to 11 U.S.C. § 1301 (c)(3) so that it may proceed under state law.

Credit Acceptance Corp.

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

Certificate of Service

I hereby certify that on July 18, 2014, I mailed or electronically served a true copy of this Motion for Relief from Stay to: Carl M. Bates, Trustee, P.O. Box 1819, Richmond, VA 23218; Robert B. Duke, Jr., Counsel to Debtors, 207 A South Main Street, Blackstone, VA 23824; Byron Major Woolridge, 9653 Kingscroft Drive, Glen Allen, VA 23060; Linda Kirk Woolridge, 9653 Kingscroft Drive, Glen Allen, VA 23060; and Justin A. Reynolds, 4204 Balmoro Avenue #4731, Henrico, VA 23228.

/s/ Sara A. John
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Counsel for Plaintiff